

trends. An additional investment of over \$1.3 billion will be used to develop measurement techniques and for green building initiatives nationwide. It is vital to both our economic and our national security that we take whatever measures are necessary to gain a comprehensive understanding of the mechanisms that drive global warming in order to implement the full range of measures necessary to combat it.

Finally, this bill also ensures that we will be able to conduct an accurate decennial Census in 2010. On top of the \$1 billion that was provided for the Census in the American Recovery and Reinvestment Act, this bill matches the President's request for \$7.4 billion to conduct the largest and most advanced Census in our nation's history.

Mr. Chair, I commend the committee for bringing us a bill that reflects the priorities of the American people, and I urge my colleagues to vote for it.

#### HONORING A LOCAL MUSICIAN'S CAREER

**HON. ADAM H. PUTNAM**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 19, 2009*

Mr. PUTNAM. Madam Speaker, a great education is a well-rounded education. This means students should not only be exposed to technical subjects such as math and the sciences, but the humanities and arts as well. Today I wish to honor the life and career of a woman who made great contributions to Florida's music culture as well as inspiring many young students, Mrs. Billye-Mullins Smith.

A resident of Winter Haven, Florida, Mrs. Smith was a musician, music educator, and music composer who has impacted the life of many young school children since the mid-1940s. She authored the Opus I Music Study program, which provided a great study for aspiring young musicians. Her late husband, Carroll Smith II, provided the lyrics for the song she composed entitled, "I Want To Wake Up In The Morning Where The Orange Blossoms Grow," which is more commonly known as, "The Florida Song."

This song touched many Floridians statewide. It originally started as a piece to be played in front of the Winter Haven Lions Club meeting with her husband singing backed by her piano. In short order, this piece made its way from the Lions Club meeting into elementary school classrooms. Since then, several generations grew up singing about the orange blossoms and birds of the great state of Florida.

Mrs. Smith was honored on Sunday, March 22, 2009 at the Lakeland Center in the Yourkey Theater.

INTRODUCTION OF THE LEGISLATION TO INCREASE THE NUMBER OF PERMANENT FEDERAL DISTRICT COURT JUDGESHIPS IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA AND FOR OTHER PURPOSES

**HON. KEVIN MCCARTHY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 19, 2009*

Mr. MCCARTHY of California. Madam Speaker, I rise today in support of legislation I introduced, along with my colleagues Congressman WALLY HERGER, Congressman DAN LUNGREN, Congressman TOM MCCLINTOCK, Congressman BUCK MCKEON, Congressman DEVIN NUNES, and Congressman GEORGE RADANOVICH, which would create four new permanent district court judgeships and one temporary district court judgeship in the U.S. District Court for the Eastern District of California, as well as designate Bakersfield, California, as a place of holding court for the Eastern District of California.

For the year ending September 30, 2008, according to the most recent data available from the Administrative Office of the United States Courts, the Eastern District of California had 1,305 pending cases per judge, a 50.2% increase since 2003, and weighted filings of 970 per judge, a 26.5% increase since 2003, which is substantially above the weighted filing standard used by the Judicial Conference of the United States to determine when additional judgeships are needed. Moreover, in 2008, the Eastern District of California had the highest number of pending cases and weighted filings per judge of all other district courts in the Ninth Judicial Circuit, including the district courts that serve Los Angeles and San Francisco.

In the 2005 Biennial Judgeship Survey, the Judicial Conference of the United States recommended four additional permanent judgeships for the Eastern District of California. Specifically, the report states:

"The Court is requesting three permanent judgeships and conversion of the temporary judgeship to a permanent position based on a steadily increasing and consistently high weighted caseload. The Judicial Conference has recommended conversion of the temporary position since 1997, and also recommended one permanent judgeship and one temporary judgeship in 1997 and 1999, two permanent judgeships since 2001, and three permanent judgeships in the 2003 survey."

More recently, during the March 2009 biannual meeting, the Judicial Conference voted to ask Congress to create sixty-three new federal judgeships, fifty-one of which would be for district courts. Within this proposal, the Judicial Conference recommended the Eastern District of California receive four additional permanent judgeships and one temporary judgeship. My bill seeks to implement the Judicial Conference's recommendations for the Eastern District of California, which includes at its southern-most point, Kern County, which I represent.

My bill would also designate Bakersfield, California, as a place of holding court for the Eastern District of California. Such a designation does not require or imply a district court

be located in Bakersfield. This designation would simply make Bakersfield eligible to have the Eastern District of California locate a district court judge there should caseload require. Under current law, the City of Fresno, the City of Redding, and the City of Sacramento are all currently designated as a place of holding court for the Eastern District of California.

The current population of Bakersfield is 315,837, which is similar in size to Fresno (pop. 470,508) and Sacramento (pop. 460,242), and significantly larger than Redding (pop. 89,780). That said, Bakersfield is a fast growing city in California and, due to affordable housing and its proximity to Los Angeles, is expected to continue to grow in the future. To that end, the City's population is projected to grow by more than 14 percent to over 557,000 by 2015 and Kern County is projected to grow by more than 24 percent to nearly one million over the next decade, growth well above the 8.7 percent national population growth rate projected by the U.S. Census Bureau for 2010 to 2020.

Furthermore, Kern and Inyo Counties currently account for almost 23% of the Fresno division civil filings and 9% of Eastern District civil filings. As these counties continue to grow, it is reasonable to assume that filings will increase, and this designation provides the Eastern District of California the flexibility to locate a district judge in Bakersfield in the future.

In terms of geography, the Eastern District of California is the largest judicial district of the four federal district court districts in California, encompassing over 87,000 square miles (34 of California's 58 counties) and almost 600 miles long. According to the U.S. Attorney's Office for the Eastern District of California, this judicial district is the eighth most populous and physically the tenth largest of all 94 U.S. District Court judicial districts in the United States. Thus, travel within the sprawling Eastern District is time-consuming, not to mention expensive.

Furthermore, there is no major metropolitan area designated as a place of holding court in the southern region of the Eastern District of California. Redding is located in the north of the judicial district, Sacramento is located in the north central area of the district, and Fresno is located in the south central area of the district. A designation for Bakersfield would make the largest city in the southern part of this judicial district at minimum eligible to have a district court judge in the future.

The Sixth Amendment of the U.S. Constitution guarantees "the right to a speedy and public trial." In order to preserve this constitutional right in the Eastern District of California, I fully support the Judicial Conference's judgeship recommendations, as well as making Bakersfield, California, eligible as a place of holding court. My bill would ensure the U.S. District Court for the Eastern District of California has the requisite number of judges to execute its duties in a timely manner for the citizens the Court serves, ensure the Court has the resources to adjudicate current and future cases, which are only expected to increase, and ensure the equitable administration of justice in California.